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OFFICE OF PETITIONS

In re Application of :
Chiu et al. :
Application No. 10/708,284 : DECISION
Filed: February 23, 2004 : ON PETITION
Attorney Docket Number: :
REAP0014USA :

This is a decision on the Petition filed March 20, 2005, requesting cancellation of the above-identified application and a refund of the application filing fees. The petition is properly treated under 37 CFR 1.182.

The petition is **DISMISSED**.

Background

The application was filed using the Electronic Filing System ("EFS"). Applicant avers that an error occurred with the EFS server during filing of the above-identified application, such that the filing was incomplete. In support of this assertion, Applicant provides a copy of what is putatively an error message he received when attempting to file the above-identified application. Applicant avers that he re-filed the same application two-days later, and the filing was successful as evidenced by his Acknowledgement Receipt which included the application serial number, 10,708,327.

Three months later Applicant asserts that he received two filing receipts for the same application. Applicant requests a refund of the filing fees charged for filing the above-identified application.

Analysis and conclusion

A review of the error message Applicant filed in support of the petition reveals that the error message is illegible - the image is too dark to read.

Applicant must file a legible copy of the error message.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
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By FAX: (703) 872-9306
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Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.


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